

The Honorable Philip H. Brandt  
Tacoma, Washington  
Chapter 7  
Hearing Date: November 14, 2006  
Hearing Time: 9:30 a.m.  
Response Date: November 8, 2006

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

In Re:	)	
	)	CASE NO. 02-45306
KATHLEEN L. LANDBERG,	)	
	)	CHAPTER 7 PROCEEDING
Debtor.	)	
	)	APPLICATION FOR PAYMENT
	)	OF INTERIM ATTORNEY'S
	)	FEES AND COSTS

COMES NOW MARK D. WALDRON of the Law Offices of ORLANDINI & WALDRON, P.S., as legal counsel for the Chapter 7 Trustee, TERRENCE J. DONAHUE, and applies to the above-entitled Court for an order approving payment of interim attorney's fees for ORLANDINI & WALDRON, P.S. in the amount of \$29,260.00 for legal services rendered on behalf of the above estate through September 25, 2006, and costs in the amount of \$1,330.67.

This Application is made pursuant to Local Rule 2016. To date, ORLANDINI & WALDRON, P.S. has not been paid any fees and costs and the fees are not being shared. ORLANDINI &

LAW OFFICES  
ORLANDINI & WALDRON  
A Professional Services Corporation  
6711 Regents Blvd. W.  
Tacoma, WA 98466  
Telephone: 253.565.5800  
Fax: 253.564.2998  
website: orlandini-waldron.com  
email: mark@orlandini-waldron.com

1 WALDRON, P.S. was appointed as counsel for the Trustee on August 17, 2005 and has expended more  
2 than 100 hours of time at the rate of \$275.00 per hour. The source of payment for the requested  
3 compensation and reimbursement of expenses is from unencumbered funds being held by the Trustee. The  
4 amount of unencumbered funds being held in the estate at this time is \$70,478.48, and it is likely that the  
5 Trustee will be receiving additional unencumbered funds in this estate.

6 Attached hereto is a declaration in support of this application.

7 DATED this 6th day of October, 2006.

8 ORLANDINI & WALDRON, PS

9  
10 By: /s/ MARK D. WALDRON  
11 **MARK D. WALDRON**, WSBA# 9578  
Attorney for Chapter 7 Trustee

12 **MARK D. WALDRON**, declares, under penalty of perjury as follows:

13 I am a member of ORLANDINI & WALDRON, P.S., and this law firm was appointed on August  
14 17, 2005 as counsel for the Trustee in the above-entitled bankruptcy estate. Our firm was appointed to  
15 represent the Bankruptcy Trustee with regard to a lawsuit that had been served by Debtor's brother,  
16 Ronald Landberg, Sr., who was suing the Trustee in Superior Court to force a Purchase & Sale Agreement  
17 for certain property of the estate. Subsequently, the Trustee requested that Orlandini & Waldron, P.S.  
18 represent him in other matters related to administration of this case.

19 To date, your applicant has not been paid any fees or reimbursed for any expenses. This interim  
20 fee application covers attorney's fees and costs incurred from August 2005 through September 25, 2006.

21 The attached itemized billing statements are divided into three categories for legal services, as  
22 follows:  
23  
24

25 **LAW OFFICES**  
**ORLANDINI & WALDRON**  
**A Professional Services Corporation**  
6711 Regents Blvd. W.  
Tacoma, WA 98466  
Telephone: 253.565.5800  
Fax: 253.564.2998  
website: orlandini-waldron.com  
email: mark@orlandini-waldron.com

1        **Matter #1 – Pierce County Lawsuit to Force Sale.** Debtor's brother, Ronald C. Landberg,  
2        Sr., had prepared and served a Pierce County lawsuit to try to force the Trustee to sell Mr. Landberg  
3        certain property of the estate. This lawsuit was removed to Bankruptcy Court and a counterclaim was filed  
4        by Trustee which, in essence, revised the lawsuit to a declaratory judgment action. The Trustee sought to  
5        have the Court determine that (1) the lawsuit brought by Mr. Landberg was without merit, (2) Ronald  
6        Landberg, Sr. had no interest in certain real property of the estate, commonly referred to as the Vaughn  
7        property, and (3) Ronald Landberg, Sr. had no claims against the Trustee.

8        That matter was successfully litigated and, after many motions and hearings, resulted in the Court  
9        granting the Trustee summary judgment and judgment as a matter of law on all issues, including a finding  
10       that Ronald Landberg, Sr. had no claims against the estate. Your applicant has spent 76.9 hours on the  
11       matter and requests fees in the amount of \$21,147.50 and costs in the amount of \$1,110.15.

12       **Matter #2 -- Quiet Title Action to Determine Estate's Interest in Certain Real Property**  
13       **in Pend Oreille County, Washington.** Included in this estate's assets are certain unresolved interests  
14       in real property in Eastern Washington, specifically Pend Oreille County. The Debtor held a title interest  
15       at the time of the bankruptcy filing but appeared to increase her proportional interest in this same real  
16       property based upon an inheritance from her parents.

17       The Trustee requested that my law firm bring a quiet title action to determine the estate's interest  
18       in three parcels of real property. That matter is still pending, but a lawsuit has been filed and the matter is  
19       currently in the discovery stage. It appears that the property has substantial value, that the estate's claim  
20       is meritorious, and that there should be adequate funds to pay all approved claims in full, upon the eventual  
21       resolution. To date, your applicant has spent 23.8 hours and requests fees in the amount of \$6,545.00 and  
22       costs in the amount of \$220.52.

23       **Matter #3 -- Appeals by Landbergs Related to Trustee's Administration.** The Debtor

1 and/or her brother, Ronald Landberg, Sr., have filed various appeals from Orders entered by the  
2 Bankruptcy Court. One of the appeals was dismissed and a second appeal is in the early stages and is  
3 unlikely to be resolved in the near future. To date, your applicant has spent 5.7 hours and requests fees  
4 in the amount of \$1,567.50.

5 As indicated, this is an Interim Fee Application. It has been more than a year since Orlandini &  
6 Waldron, P.S. has been representing the estate, without any compensation to date. Based upon what has  
7 occurred thus far in this proceeding, it is clear that there will be ongoing litigation until the administration of  
8 this estate is completed. Therefore, Applicant requests payment in the amount of \$30,590.67 for interim  
9 attorney's fees and costs, to be paid from the unencumbered fees of estate.

10 Attached are my billing statements which consist of detailed itemizations of dates, services  
11 performed, and charges incurred. The billing statements (Exhibits 1 through 3) are divided into the three  
12 categories as set forth above. I hereby incorporate the attached billing statements as if fully set forth herein.

13  
14 /s/ MARK D. WALDRON  
15 MARK D. WALDRON  
16  
17  
18  
19  
20  
21  
22  
23  
24

25  
26  
**LAW OFFICES**  
**ORLANDINI & WALDRON**  
**A Professional Services Corporation**  
6711 Regents Blvd. W.  
Tacoma, WA 98466  
Telephone: 253.565.5800  
Fax: 253.564.2998  
website: orlandini-waldron.com  
email: mark@orlandini-waldron.com